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JUN 28 2006

***Facsimile Transmittal***

**DATE:** June 28, 2006

**TO:** Mail Stop Petition; USPTO  
Docket No. 000192

**FAX :** 571 273 8300

**FROM:** James D. McFarland

**PHONE:** (858) 651-8840

**FAX** (858) 658-2502

**Number of Pages including this cover sheet: 6**

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JUN 28 2006

Attorney Docket No. 000192

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. 09/998,860  
Inventor(s): Bruce A. Judson  
Filed: November 15, 2001  
Title: Method And Apparatus For Using  
Position Location To Direct Narrow  
Beam Antennas  
Group Art: 2684  
Examiner: Gesesse, Tilahun  
Conf. No.: 6945

Certificate of Transmission	
I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, USPTO, on the day indicated below to:	
Facsimile No.: 571-273-8300	
Date:	June 28, 2005
Signature:	<i>Sara Nel Salinas</i>
Name:	Sara Nel Salinas

**PETITION TO ACCEPT DELAYED PAYMENT OF ISSUE FEE - FAILURE TO PAY  
UNINTENTIONALLY UNDER (37 CFR 1.137(b))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Facsimile No. : 571-273-8300

Dear Sir:

1. Applicant petitions for acceptance of the issue fee for which payment was due on April 13, 2006.
2. This petition is filed:
  - ☒ within one year of the issue fee due date. (Copies of the Issue Fee and Notice of Abandonment for insufficient fees are attached).
  - ☐ within three months of the date of the first decision in a petition to accept late payment of the issue fee because of unavoidable delay under 37 CFR 1.316.
    - ☐ the three month period has been extended up to (Type Date).
    - ☐ enclosed is a petition and fee for extension of the three month period to (Type Date).

JUN 28 2006

3. The entire delay in filing the required issue fee from the due date for the issue fee until the filing of this petition was unintentional.

4. Payment of the issue fee and publication fee:

- ☐ has been filed.  
☐ is attached.  
☒ charge to Deposit Account No. 17-0026.

5. Fee (37 CFR 1.17(m))

Application status is:

- ☐ small entity – fee \$750.00.  
☐ Verified Statement attached.  
☐ Verified Statement filed.  
☒ other than small entity – fee \$1,500.00

6. Payment of total fee:

Total issue and petition fee to be paid \$3,200.00.

- ☒ Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$3,200.00.  
The Commissioner is hereby authorized to charge payment of any additional fees which may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate of this sheet is enclosed.
- ☒ The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

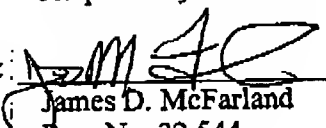
The undersigned declares further that all statements made herein are of his or her own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: June 28, 2006

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 658-5787  
Facsimile: (858) 658-2502

By:

  
James D. McFarland  
Reg. No. 32,544  
(858) 651-8840



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,860	11/15/2001	Bruce A. Judson	000192	6945
23696	7590	06/08/2006	EXAMINER	
QUALCOMM, INC			GESSE, TILAHUN	
5775 MOREHOUSE DR.			ART UNIT	PAPER NUMBER
SAN DIEGO, CA 92121			2618	

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Notice of Abandonment</b>	Application No.	Applicant(s)	
	09/998,860	JUDSON	
	Examiner	Art Unit	
	GESESSE	2818	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - ☒ The submitted fee of \$0 is insufficient. A balance of \$1700 is due.  
The issue fee required by 37 CFR 1.18 is \$1400. The publication fee, if required by 37 CFR 1.18(d), is \$300.
  - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

lgd

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



Complete and send this form, together with applicable fee(s), to: Mail  
MAR 31 2006

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571) 273-2885

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address, and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (From Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmittal.

21698 7590 01/13/2006

QUALCOMM, INC  
5775 MOREHOUSE DR.  
SAN DIEGO, CA 92121

Certificate of Mailing or Transmittal  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (371) 273-2885, on the date indicated below.

Theresa Badet (Depositor's Name)  
Theresa Badet (Signature)  
March 31, 2006 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09598.860	11/15/2001	Bruce A. Jackson	000192	6945

TITLE OF INVENTION: METHOD AND APPARATUS FOR USING POSITION LOCATION TO DIRECT NARROW BEAM ANTENNAS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	04/13/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
QUESSER, TILAHUN	2684	455-562100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.263).

- ☐ Change of correspondence address (or Change of Correspondence Address Form PTO/SB/123) attached.  
☐ "Fee Address" indication (or "Fee Address" indication form, PTO/SB/47, Rev. 03-02, or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list:  
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Philip R. Wadsworth  
Bruce W. Greenhaws  
Donald C. Kordach

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

QUALCOMM, Incorporated

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

San Diego, California

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☐ Advance Order - 6 of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card, Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 17-00210 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(b)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above, as applicable. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is requested to take 13 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Authorized Signature

Typed or printed name

Donald C. Kordach

Donald C. Kordach

Date

Registration No.

3/31/2006

38,213

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is requested to take 13 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PAGE 2/4 \* RCVD AT 3/31/2006 1:55:40 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-638 \* DUNS:2732885 \* CSID:\* \* DURATION (mm:ss):01:46

PAGE 6/6 \* RCVD AT 6/28/2006 6:35:10 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-5/15 \* DUNS:2738300 \* CSID:\* \* DURATION (mm:ss):01:52

06/30/2006 WARDLR3 00000040 170026 09998860

01 FC:1501  
02 FC:1504